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8 Attorneys for Plaintiff
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DESIREE HERNANDEZ, et al.,

16 Defendants.

No. CR 15-688 (A) -DSF-5

PLEA AGREEMENT FOR DEFENDANT
DESIREE HERNANDEZ

17
18 1. This constitutes the plea agreement between defendant
19 Desiree Hernandez ("defendant") and the United States Attorney's
20 Office for the Central District of California ("the USAO") in the
21 above-captioned case. This agreement is limited to the USAO and
22 cannot bind any other federal, state, local, or foreign prosecuting,
23 enforcement, administrative, or regulatory authorities.

24 DEFENDANT'S OBLIGATIONS

25 2. Defendant agrees to:

26 a. At the earliest opportunity requested by the USAO and
27 provided by the Court, appear and plead guilty to counts one, two,
28 and five of the First Superseding Indictment in United States v.

1 Kelly, et al., CR No. 15-688(A)-DSF, which charge defendant with
2 conspiracy to commit racketeering, in violation of 18 U.S.C.
3 § 1962(d); racketeering, in violation of 18 U.S.C. § 1962(c); and
4 conspiracy to distribute methamphetamine, in violation of 21 U.S.C.
5 §§ 846, 841(a)(1), and 841(b)(1)(B).

6 b. Not contest facts agreed to in this agreement.

7 c. Abide by all agreements regarding sentencing contained
8 in this agreement.

9 d. Appear for all court appearances, surrender as ordered
10 for service of sentence, obey all conditions of any bond, and obey
11 any other ongoing court order in this matter.

12 e. Not commit any crime; however, offenses that would be
13 excluded for sentencing purposes under United States Sentencing
14 Guidelines ("U.S.S.G." or "Sentencing Guidelines") § 4A1.2(c) are not
15 within the scope of this agreement.

16 f. Be truthful at all times with Pretrial Services, the
17 United States Probation Office, and the Court.

18 g. Pay the applicable special assessments at or before
19 the time of sentencing unless defendant lacks the ability to pay and
20 prior to sentencing submits a completed financial statement on a form
21 to be provided by the USAO.

22 THE USAO'S OBLIGATIONS

23 3. The USAO agrees to:

24 a. Not contest facts agreed to in this agreement.

25 b. Abide by all agreements regarding sentencing contained
26 in this agreement.

27 c. At the time of sentencing, move to dismiss any
28 remaining counts of the First Superseding Indictment as against

1 defendant. Defendant agrees, however, that at the time of sentencing
2 the Court may consider any dismissed charges in determining the
3 applicable Sentencing Guidelines range, the propriety and extent of
4 any departure from that range, and the sentence to be imposed.

5 d. At the time of sentencing, provided that defendant
6 demonstrates an acceptance of responsibility for the offenses up to
7 and including the time of sentencing, recommend a two-level reduction
8 in the applicable Sentencing Guidelines offense level, pursuant to
9 U.S.S.G. § 3E1.1, and recommend and, if necessary, move for an
10 additional one-level reduction if available under that section.

11 e. Forego any enhancements to the otherwise applicable
12 statutory mandatory minimum sentence pursuant to Title 21 of the
13 United States Code, Section 851, or to dismiss charges filed pursuant
14 to that provision, if filed prior to the entry of defendant's guilty
15 pleas.

16 NATURE OF THE OFFENSES

17 4. Defendant understands that for defendant to be guilty of
18 the crime charged in count one, that is, Racketeering Conspiracy, in
19 violation of Title 18, United States Code, Section 1962(d), the
20 following must be true:

21 a. The enterprise alleged in count one of the First
22 Superseding Indictment existed;

23 b. The enterprise engaged in activities that affected or
24 would affect interstate or foreign commerce; and

25 c. Defendant knowingly and intentionally agreed that a
26 co-conspirator (which may include the defendant) would violate Title
27 18, United States Code, Section 1962(c), through a pattern of
28 racketeering activity.

1 An "enterprise" includes any individual, partnership,
2 corporation, association, or other legal entity, and any union or
3 group of individuals associated in fact, although not a legal entity.
4 "Racketeering activity" includes any act or threat involving murder,
5 kidnaping, robbery, extortion, or dealing in a controlled substance,
6 which is chargeable under state law and punishable by imprisonment
7 for more than one year.

8 A "pattern of racketeering activity" is at least two
9 racketeering acts within ten years of each other that have a
10 relationship to each other and a threat of continuity. Conduct forms
11 a pattern if it consists of criminal acts that have the same or
12 similar purposes, results, participants, victims, or methods of
13 commission, or otherwise are interrelated by distinguishing
14 characteristics and are not isolated.

15 5. Defendant understands that, for defendant to be guilty of
16 the crime charged in count two, that is, racketeering, in violation
17 of Title 18 of the United States Code, Section 1962(c), the following
18 must be true:

19 a. There was an on-going enterprise consisting of a group
20 of persons associated together for a common purpose;

21 b. Defendant was employed by or associated with the
22 enterprise;

23 c. Defendant conducted or participated, directly or
24 indirectly, in the conduct of the affairs of the enterprise through a
25 pattern of racketeering activity or collection of unlawful debt; and

26 d. The enterprise engaged in or its activities in some
27 way affected interstate commerce.
28

a. Defendant entered an agreement with at least one other person to commit the crime of distribution of a controlled substance; and

In order for defendant to be subject to the statutory maximum and mandatory minimum sentences set forth herein for the violation charged in count five, the government must prove beyond a reasonable doubt that it was foreseeable to the defendant that the conspiracy of which she was a part involved the distribution of at least 5 grams of actual methamphetamine or at least 50 grams of a mixture or substance containing a detectable amount of methamphetamine.

PENALTIES

1 offense, whichever is greatest; and a mandatory special assessment of
2 \$100.

3 9. Defendant understands that the statutory maximum sentence
4 that the Court can impose for this violation of Title 21, United
5 States Code, Sections 846, 841(a)(1), and (b)(1)(B), is: 40 years'
6 imprisonment; a lifetime period of supervised release; a fine of
7 \$5,000,000, or twice the gross gain or gross loss resulting from the
8 offense, whichever is greatest; and a mandatory special assessment of
9 \$100.

10 10. Defendant understands, therefore, that the total maximum
11 sentence for all offenses to which defendant is pleading guilty is:
12 imprisonment for 80 years; a lifetime period of supervised release; a
13 fine of \$5,500,000, or twice the gross gain or gross loss resulting
14 from the offenses, whichever is greatest; and a mandatory special
15 assessment of \$300.

16 11. The statutory mandatory minimum sentence that the court
17 must impose for this violation of Title 21, United States Code,
18 Sections 846, 841(a)(1), and (b)(1)(B) is 5 years' imprisonment, a 4-
19 year term of supervised release, and a mandatory special assessment
20 of \$100.

21 12. Defendant understands that supervised release is a period
22 of time following imprisonment during which defendant will be subject
23 to various restrictions and requirements. Defendant understands that
24 if defendant violates one or more of the conditions of any supervised
25 release imposed, defendant may be returned to prison for all or part
26 of the term of supervised release authorized by statute for the
27 offense that resulted in the term of supervised releases.

1 13. Defendant understands that, by pleading guilty, defendant
2 may be giving up valuable government benefits and valuable civic
3 rights, such as the right to vote, the right to possess a firearm,
4 the right to hold office, and the right to serve on a jury.
5 Defendant understands that, once the Court accepts defendant's guilty
6 pleas, it will be a federal felony for defendant to possess a firearm
7 or ammunition. Defendant understands that the convictions in this
8 case may also subject defendant to various other collateral
9 consequences, including but not limited to revocation of probation,
10 parole, or supervised release in another case and suspension or
11 revocation of a professional license. Defendant understands that
12 unanticipated collateral consequences will not serve as grounds to
13 withdraw defendant's guilty pleas.

14 14. Defendant understands that, if defendant is not a United
15 States citizen, the felony convictions in this case may subject
16 defendant to: removal, also known as deportation, which may, under
17 some circumstances, be mandatory; denial of citizenship; and denial
18 of admission to the United States in the future. The Court cannot,
19 and defendant's attorney also may not be able to, advise defendant
20 fully regarding the immigration consequences of the felony conviction
21 in this case. Defendant understands that unexpected immigration
22 consequences will not serve as grounds to withdraw defendant's guilty
23 plea.

24 15. Defendant understands that under 21 U.S.C. § 862a,
25 defendant will not be eligible for assistance under state programs
26 funded under the Social Security Act or Federal Food Stamp Act or for
27 federal food stamp program benefits, and that any such benefits or
28

1 assistance received by defendant's family members will be reduced to
2 reflect defendant's ineligibility.

3 FACTUAL BASIS

4 16. Defendant admits that defendant is, in fact, guilty of the
5 offenses to which defendant is agreeing to plead guilty. Defendant
6 and the USAO agree to the statement of facts provided below and agree
7 that this statement of facts is sufficient to support the pleas of
8 guilty to the charges described in this agreement and to establish
9 the Sentencing Guidelines factors set forth in paragraph 18 below but
10 is not meant to be a complete recitation of all facts relevant to the
11 underlying criminal conduct or all facts known to either party that
12 relate to that conduct.

13 Defendant is a member of the Wilmas street gang. The Wilmas
14 gang is an enterprise whose members engage in violent crimes and
15 narcotics distribution in Southeast Los Angeles and the community of
16 Wilmington, within the Central District of California. As part of
17 her role and membership in the Wilmas gang, defendant agreed with
18 others to conduct and participate in the offenses of the gang,
19 including narcotics-trafficking, as part of a pattern of racketeering
20 activity.

21 Specifically, on September 13, 2013, defendant and co-defendant
22 Armando Soriano spoke on the telephone with another person to
23 negotiate the purchase of methamphetamine from a source in Mexico,
24 and defendant described the methamphetamine as better than that which
25 they had obtained from co-defendant Lawrence Kelly and had no "cut"
26 in it. Defendant also spoke with co-defendant Soriano about
27 introducing the methamphetamine source of supply to Frank Munoz and
28 discussing the arrangement with Kelly. On September 14, 2013,

1 defendant agreed to deliver methamphetamine to Soriano, and on
2 September 18, 2013, defendant arranged for Soriano to deliver
3 methamphetamine to another person.

4 On September 19, 2013, defendant and co-defendant Armando
5 Soriano were apprehended with 32.4 grams of methamphetamine, and
6 defendant then told co-defendant Paul Soriano that she and Armando
7 Soriano had been caught by law enforcement and that officers knew all
8 about them and other Wilmas gang members. On September 19, 2013,
9 after being released from jail, defendant told another Wilmas gang
10 member that defendant was responsible for collecting guns for Kelly
11 and that she would be collecting Armando Soriano's guns for Kelly.
12 Defendant also identified herself as a "Westside" Wilmas gang member
13 in the conversation. On September 20, 2013, defendant told co-
14 defendant Paul Soriano that defendant needed to deliver money to
15 Lawrence Kelly for methamphetamine. Also on September 20, 2013, Paul
16 Soriano directed defendant to retrieve a .380 caliber handgun for
17 Lawrence Kelly, and defendant told Soriano that she had spoken to
18 Kelly and knew "all the business." On the same day, another Wilmas
19 gang member told defendant that the gang members were searching for
20 guns, and defendant told Paul Soriano that Kelly charged her too much
21 for methamphetamine and that she needed a scale so that she could
22 deliver narcotics.

23 On September 24, 2013, defendant told Frank Munoz that defendant
24 was attempting to provide Munoz' telephone number to Armando Soriano
25 while Armando Soriano was incarcerated. Defendant also spoke on the
26 telephone to Armando Soriano and thanked Soriano for falsely claiming
27 to officers that all of the methamphetamine seized on September 19,
28 2013 belonged to him, while acknowledging that some belonged to

1 defendant. Defendant also told Armando Soriano that she was selling
2 methamphetamine and that Lawrence Kelly had provided her with a half-
3 ounce of methamphetamine. Armando Soriano then directed defendant to
4 tell his customers that defendant would be distributing narcotics
5 while Armando Soriano was incarcerated and encouraged defendant to
6 expand their distribution. Defendant responded by telling Armando
7 Soriano that she knew what she was doing.

8 On September 25, 2013, defendant told another person that
9 Armando Soriano wanted everyone to know that they could contact
10 defendant in order to purchase narcotics. Armando Soriano also
11 directed defendant to obtain a gun from Lawrence Kelly and provide it
12 to another Wilmas gang member while defendant sold narcotics. On
13 September 26, 2013, defendant advised Armando Soriano that she had
14 obtained a new source of supply for methamphetamine that customers
15 preferred over Kelly and that the customers were willing to pay more
16 for the methamphetamine.

17 Defendant agrees that her actions were committed as part of her
18 membership in the Wilmas gang, and in furtherance of the narcotics-
19 trafficking and other crimes of the organization, knowing that its
20 members and associates had committed and would commit multiple
21 offenses constituting a pattern of racketeering activity, including
22 narcotics-distribution and other racketeering offenses. Defendant
23 knew that the offenses of the Wilmas gang and the conspiracy of which
24 she was a part involved the distribution of more than 5 grams of
25 actual methamphetamine and more than 50 grams of a mixture or
26 substance containing methamphetamine. Defendant also admits that the
27 crimes of the organization, including narcotics trafficking, have an
28 effect on interstate and foreign commerce.

SENTENCING FACTORS

17. Defendant understands that in determining defendant's sentence, the Court is required to calculate the applicable Sentencing Guidelines range and to consider that range, possible departures under the Sentencing Guidelines, and the other sentencing factors set forth in 18 U.S.C. § 3553(a). Defendant understands that the Sentencing Guidelines are advisory only, that defendant cannot have any expectation of receiving a sentence within the calculated Sentencing Guidelines range, and that after considering the Sentencing Guidelines and the other § 3553(a) factors, the Court will be free to exercise its discretion to impose any sentence it finds appropriate between the mandatory minimum and up to the maximum set by statute for the crimes of conviction.

18. Defendant and the USAO agree to the following applicable Sentencing Guidelines factors:

Base Offense Level:	26	U.S.S.G. §§ 2E1.1(a)(2),
		2D1.1(c)(7)

Defendant and the USAO reserve the right to argue that additional specific offense characteristics, adjustments, and departures under the Sentencing Guidelines are appropriate. Defendant understands that defendant's offense level could be increased if defendant is a career offender under U.S.S.G. §§ 4B1.1 and 4B1.2. If defendant's offense level is so altered, defendant and the USAO will not be bound by the agreement to Sentencing Guideline factors set forth above.

19. Defendant understands that there is no agreement as to defendant's criminal history or criminal history category.

1 20. Defendant and the USAO reserve the right to argue for a
2 sentence outside the sentencing range established by the Sentencing
3 Guidelines based on the factors set forth in 18 U.S.C. § 3553(a)(1),
4 (a)(2), (a)(3), (a)(6), and (a)(7).

5 WAIVER OF CONSTITUTIONAL RIGHTS

6 21. Defendant understands that by pleading guilty, defendant
7 gives up the following rights:

8 a. The right to persist in a plea of not guilty.

9 b. The right to a speedy and public trial by jury.

10 c. The right to be represented by counsel - and if
11 necessary have the Court appoint counsel - at trial. Defendant
12 understands, however, that, defendant retains the right to be
13 represented by counsel - and if necessary have the Court appoint
14 counsel - at every other stage of the proceeding.

15 d. The right to be presumed innocent and to have the
16 burden of proof placed on the government to prove defendant guilty
17 beyond a reasonable doubt.

18 e. The right to confront and cross-examine witnesses
19 against defendant.

20 f. The right to testify and to present evidence in
21 opposition to the charges, including the right to compel the
22 attendance of witnesses to testify.

23 g. The right not to be compelled to testify, and, if
24 defendant chose not to testify or present evidence, to have that
25 choice not be used against defendant.

26 h. Any and all rights to pursue any affirmative defenses,
27 Fourth Amendment or Fifth Amendment claims, and other pretrial
28 motions that have been filed or could be filed.

1 WAIVER OF APPEAL OF CONVICTION

2 22. Defendant understands that, with the exception of an appeal
3 based on a claim that defendant's guilty pleas were involuntary, by
4 pleading guilty defendant is waiving and giving up any right to
5 appeal defendant's convictions on the offenses to which defendant is
6 pleading guilty.

7 LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

8 23. Defendant agrees that, provided the Court imposes a total
9 term of imprisonment on all counts of conviction that is not greater
10 than the guidelines range corresponding to an overall offense level
11 of 23, defendant gives up the right to appeal all of the following:
12 (a) the procedures and calculations used to determine and impose any
13 portion of the sentence; (b) the term of imprisonment imposed by the
14 Court; (c) the fine imposed by the Court, provided it is within the
15 statutory maximum; (d) the term of probation or supervised release
16 imposed by the Court, provided it is within the statutory maximum;
17 and (f) any of the following conditions of probation or supervised
18 release imposed by the Court: the conditions set forth in General
19 Orders 318, 01-05, and/or 05-02 of this Court; the drug testing
20 conditions mandated by 18 U.S.C. §§ 3563(a)(5) and 3583(d); and the
21 alcohol and drug use conditions authorized by 18 U.S.C. § 3563(b)(7).

22 24. The USAO agrees that, provided (a) all portions of the
23 sentence are at or above the statutory minimum and at or below the
24 statutory maximum specified above and (b) the Court imposes a term of
25 imprisonment of not less than the applicable Guidelines range
26 corresponding to an overall offense level of 23, the USAO will give
27 up its right to appeal any portion of the sentence.

1 RESULT OF WITHDRAWAL OF GUILTY PLEA

2 25. Defendant agrees that if, after entering guilty pleas
3 pursuant to this agreement, defendant seeks to withdraw and succeeds
4 in withdrawing defendant's guilty pleas on any basis other than a
5 claim and finding that entry into this plea agreement was
6 involuntary, then (a) the USAO will be relieved of all of its
7 obligations under this agreement; (b) in any investigation, criminal
8 prosecution, or civil, administrative, or regulatory action,
9 defendant agrees that any information or statements related to her
10 plea and any evidence derived from any such information shall be
11 admissible against defendant, and defendant will not assert, and
12 hereby waives and gives up, any claim under the United States
13 Constitution, any statute, or any federal rule, that any Plea
14 Information or any evidence derived from any Plea Information should
15 be suppressed or is inadmissible.

16 RESULT OF VACATUR, REVERSAL OR SET-ASIDE

17 26. Defendant agrees that if any count of conviction is
18 vacated, reversed, or set aside, the USAO may: (a) ask the Court to
19 resentence defendant on any remaining count of conviction, with both
20 the USAO and defendant being released from any stipulations regarding
21 sentencing contained in this agreement, (b) ask the Court to void the
22 entire plea agreement and vacate defendant's guilty pleas on any
23 remaining counts of conviction, with both the USAO and defendant
24 being released from all their obligations under this agreement, or
25 (c) leave defendant's remaining convictions, sentence, and plea
26 agreement intact. Defendant agrees that the choice among these three
27 options rests in the exclusive discretion of the USAO.

EFFECTIVE DATE OF AGREEMENT

27. This agreement is effective upon signature and execution of all required certifications by defendant, defendant's counsel, and an Assistant United States Attorney.

BREACH OF AGREEMENT

28. Defendant agrees that if defendant, at any time after the signature of this agreement and execution of all required certifications by defendant, defendant's counsel, and an Assistant United States Attorney, knowingly violates or fails to perform any of defendant's obligations under this agreement ("a breach"), the USAO may declare this agreement breached. All of defendant's obligations are material, a single breach of this agreement is sufficient for the USAO to declare a breach, and defendant shall not be deemed to have cured a breach without the express agreement of the USAO in writing. If the USAO declares this agreement breached, and the Court finds such a breach to have occurred, then:

a. If defendant has previously entered guilty pleas pursuant to this agreement, defendant will not be able to withdraw the guilty pleas.

b. The USAO will be free to criminally prosecute defendant for false statement, obstruction of justice, and perjury based on any knowingly false or misleading statement by defendant.

c. Defendant agrees that: (i) any statements made by defendant, under oath, at the guilty plea hearing (if such a hearing occurred prior to the breach); (ii) the agreed to factual basis statement in this agreement; and (iii) any evidence derived from such statements, shall be admissible against defendant in any such action against defendant, and defendant waives and gives up any claim under

1 the United States Constitution, any statute, Rule 410 of the Federal
2 Rules of Evidence, Rule 11(f) of the Federal Rules of Criminal
3 Procedure, or any other federal rule, that the statements or any
4 evidence derived from the statements should be suppressed or are
5 inadmissible.

6 COURT AND PROBATION OFFICE NOT PARTIES

7 29. Defendant understands that the Court and the United States
8 Probation Office are not parties to this agreement and need not
9 accept any of the USAO's sentencing recommendations or the parties'
10 agreements to facts or sentencing factors.

11 30. Defendant understands that both defendant and the USAO are
12 free to: (a) supplement the facts by supplying relevant information
13 to the United States Probation Office and the Court, (b) correct any
14 and all factual misstatements relating to the Court's Sentencing
15 Guidelines calculations and determination of sentence, and (c) argue
16 on appeal and collateral review that the Court's Sentencing
17 Guidelines calculations and the sentence it chooses to impose are not
18 error, although each party agrees to maintain its view that the
19 calculations in paragraph 18 are consistent with the facts of this
20 case. While this paragraph permits both the USAO and defendant to
21 submit full and complete factual information to the United States
22 Probation Office and the Court, even if that factual information may
23 be viewed as inconsistent with the facts agreed to in this agreement,
24 this paragraph does not affect defendant's and the USAO's obligations
25 not to contest the facts agreed to in this agreement.

26 31. Defendant understands that even if the Court ignores any
27 sentencing recommendation, finds facts or reaches conclusions
28 different from those agreed to, and/or imposes any sentence up to the

1 maximum established by statute, defendant cannot, for that reason,
 2 withdraw defendant's guilty pleas, and defendant will remain bound to
 3 fulfill all defendant's obligations under this agreement. Defendant
 4 understands that no one -- not the prosecutor, defendant's attorney,
 5 or the Court -- can make a binding prediction or promise regarding
 6 the sentence defendant will receive, except that it will be within
 7 the statutory maximum.

8 NO ADDITIONAL AGREEMENTS

9 32. Defendant understands that, except as set forth herein,
 10 there are no promises, understandings, or agreements between the USAO
 11 and defendant or defendant's attorney, and that no additional
 12 promise, understanding, or agreement may be entered into unless in a
 13 writing signed by all parties or on the record in court.

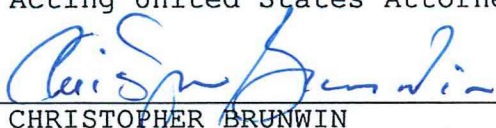
14 PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

15 33. The parties agree that this agreement will be considered
 16 part of the record of defendant's guilty plea hearing as if the
 17 entire agreement had been read into the record of the proceeding.

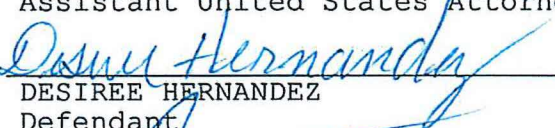
18 AGREED AND ACCEPTED

19 UNITED STATES ATTORNEY'S OFFICE
 20 FOR THE CENTRAL DISTRICT OF
 CALIFORNIA


21 SANDRA R. BROWN
 Acting United States Attorney

22 
 23 CHRISTOPHER BRUNWIN
 24 Assistant United States Attorney

12.21.17
 Date

25 
 26 DESIREE HERNANDEZ
 Defendant

12-7-17
 Date


27 
 28 ALEX R. KESSEL
 Attorney for Defendant DESIREE

12-7-17
 Date

1 HERNANDEZ

2
3
4 CERTIFICATION OF DEFENDANT

5 I have read this agreement in its entirety. I have had enough
6 time to review and consider this agreement, and I have carefully and
7 thoroughly discussed every part of it with my attorney. I understand
8 the terms of this agreement, and I voluntarily agree to those terms.
9 I have discussed the evidence with my attorney, and my attorney has
10 advised me of my rights, of possible pretrial motions that might be
11 filed, of possible defenses that might be asserted either prior to or
12 at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a),
13 of relevant Sentencing Guidelines provisions, and of the consequences
14 of entering into this agreement. No promises, inducements, or
15 representations of any kind have been made to me other than those
16 contained in this agreement. No one has threatened or forced me in
17 any way to enter into this agreement. I am satisfied with the
18 representation of my attorney in this matter, and I am pleading
19 guilty because I am guilty of the charges and wish to take advantage
20 of the promises set forth in this agreement, and not for any other
21 reason.

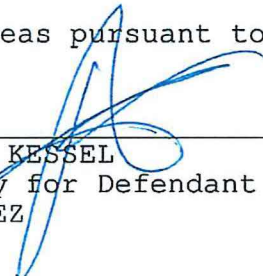
22 
23 DESIREE HERNANDEZ
24 Defendant

12-7-17
Date

25 CERTIFICATION OF DEFENDANT'S ATTORNEY

26 I am DESIREE HERNANDEZ' attorney. I have carefully and
27 thoroughly discussed every part of this agreement with my client.
28 Further, I have fully advised my client of her rights, of possible

1 pretrial motions that might be filed, of possible defenses that might
2 be asserted either prior to or at trial, of the sentencing factors
3 set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines
4 provisions, and of the consequences of entering into this agreement.
5 To my knowledge: no promises, inducements, or representations of any
6 kind have been made to my client other than those contained in this
7 agreement; no one has threatened or forced my client in any way to
8 enter into this agreement; my client's decision to enter into this
9 agreement is an informed and voluntary one; and the factual basis set
10 forth in this agreement is sufficient to support my client's entry of
11 guilty pleas pursuant to this agreement.

12
13 
14 ALEX R. KESSEL
15 Attorney for Defendant DESIREE
16 HERNANDEZ
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12-7-17
Date